THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24733 OF 2005

DATED:21.11.2005

Between:

C.S.Moorthy

…Petitioner

And

The District Collector

Ranga Reddy District

at Lakdikapul, Hyderabad, and another

…Respondents

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WRIT PETITION NO.24733 OF 2005

ORDER:

The petitioner claims that he purchased land admeasuring Ac.29.20 gts. - an extent of Acs.3.00 in S.Nos.632/ru, 632/roo, 632/lu, 632/voo, 632/ee and 632/vu; Acs.2.00 in S.No.632/lu, Acs.2.00 in S.No.632/ee, Acs.1.00 in 632/yae, Ac.1.10 gts. in S.No.632/a, Acs.1.20 gts. in S.No.632/yae, Acs.4.00 in S.No.632/ru, Acs.9.20 gts. in S.No.632/vo, 632/l, 632/yae, Ac.1.10 gts. in S.No.632/ye, Acs.4.00 in S.No.632/i - of Chilukuru village, Moinabad mandal, Ranga Reddy District from various owners under registered sale deeds. He alleges that on 17-11-2005, the second respondent informed the workers of the petitioner that the petitioner purchased the 'assigned land' in contravention of the Assignment Rules and also sealed the property of the petitioner. The petitioner alleges that the second respondent issued orders on 29-

10-2005 under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977 (for short 'the Act') ordering resumption of the land and that such order was issued without issuing any notice to the petitioner. Therefore, he seeks a writ of Mandamus declaring the impugned order as illegal and arbitrary.

The learned Assistant Government Pleader produced a copy of the notice issued in Form-I under Rule 3 of the A.P.Assigned Lands (Prohibition of Transfer) Rules, 1977 which is served on worker of petitioner before passing the impugned order. Be that as it is, as this is a matter seriously disputed by the petitioner's counsel and petitioner has an effective alternative remedy by way of an appeal under Section 4(A) of the Act, this Court, without expressing any opinion, considers it appropriate to dispose of the matter in the following manner:

Ten (10) days time is granted to the petitioner to prefer an appeal to the Revenue Divisional Officer, Chevella, Ranga Reddy district, who is directed to receive the appeal and dispose of the same in accordance with law, within a period of eight (8) weeks thereafter.

Learned Assistant Government Pleader, placing reliance on the panchanama, submits that pursuant to the impugned order, the respondents have taken possession of the land on 10-11-2005. This is strongly refuted by the learned counsel for the petitioner. Therefore, to enable the petitioner to obtain appropriate interim orders from the appellate authority, there shall be an order of *status quo* as to the possession of the land as on today for a period of two (2) weeks. It is open to the petitioner to obtain appropriate interim orders from the Revenue Divisional Officer.

The writ petition, with the above observations, is disposed of. No costs.

(V.V.S.RAO, J)

21.11.2005

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